

Notice of Allowability

Application No.

09/675,921

Examiner

Quang N. Nguyen

Applicant(s)

HARVEY ET AL.

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 11/28/2005.
2. ☒ The allowed claim(s) is/are 1-28 and 30-33.
3. ☒ The drawings filed on 29 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Examiner's Amendment

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment maybe filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with the Applicant's Representative, Mr. Stoycho D. Draganoff on December 05th, 2005.

3. Please change Claim 32 to:

A method of automatically configuring a computer program application that uses information about network devices or topology in order to operate in a network environment, comprising the steps of:

receiving a request for network topology information from the computer program application;

retrieving a template of network topology information from a repository;

wherein the template comprises symbolic references to one of a plurality of values of one or more parameters that may receive values specific to a particular element of the topology;

wherein each symbolic reference identifies an operation and a list of parameters for that operation;

resolving elements for the topology into application-specific values, resulting in creating and storing resolved network topology information; and

providing the resolved network topology information to a configuration agent within the application that is configured to re-configure the computer program application to operate with the resolved network topology.

4. Claims 1-28 and 30-33 are allowed.

5. The following is an examiner's statement of reasons for allowance:

In interpreting the claims, in light of the specification and the applicant's amendments/arguments filed on 11/28/2005, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

Malik et al. (US 5,832,503), teach an apparatus and method for monitoring parameters that govern the operational characteristics of a network device, including the use of templates for generating configuration records of network devices of a selected model type, wherein a database of models is provided, each model representing an associated network device and including attribute values for the parameters of the associated network device (**Malik, Abstract and C3: L13-46**).

Chen et al. (US 6,195,694), teach a server system for reconfiguring control of a subset of devices on one or more kiosks on the network, wherein one or more of the files in the configuration sets include one or more embedded (control) programs that are used to control the local APIs of the networked devices (**Chen, Abstract**).

Royal, Jr. et al. (US 6,571,201), teach a method and system of monitoring and configuring a fuel dispenser (a networked device) via XML-based data exchanges with a remote system 130 and a site controller 120, wherein the XML-formatted data comprises one or more "elements" delimited by a start tag, and end tag and intervening data using an HTML-compliant Web browser executing on the remote system (**Royal, Fig. 2A, C3: L28-43, C4: L46-58 and C5: L35-44**).

However, the prior art of record fails to teach or suggest individually or in combination that a method and system of automatically configuring a network device, comprising the computer-implemented steps of: receiving a request from the network device to provide configuration information; retrieving a template describing a device configuration, wherein the template comprises symbolic references to one of a plurality values of one or more parameters that may receive values specific to a particular device; wherein each symbolic reference identifies an operation and a list of parameters for that operation; retrieving from a repository of the plurality of values, based on the symbolic references, one or more values of parameters specific to the network device; and creating and storing a device-specific instance of the configuration information based on the template and the values of parameters specific to said network device; said configuration information conforming to an Extensible Markup Language Document Type Definition (XML DTD) and comprising one or more XML tags that delimit a beginning and an ending of the configuration information as set forth in independent claims 1, 17, 24, 26-28, 30 and 32. Claims 1-28 and 30-33 are allowed because of the combination of other limitations and the limitation listed above.

The examiner finds the Applicant's arguments on pages 14-17 of the Remarks filed on 11/28/2005 to be persuasive. The applicant argued in substance that the combination of prior art of records fail to disclose the features of the invention including the template comprises symbolic references to one of a plurality values of one or more parameters that may receive values specific to a particular device; wherein each symbolic reference identifies an operation and a list of parameters for that operation; retrieving from a repository of the plurality of values, based on the symbolic references, one or more values of parameters specific to the network device, as claimed in the invention to identify an operation and a list of parameters for that operation which maybe used/specified for a particular device (see Remarks, pages 16-17 and see Specification, pages 33-35).

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Examiner's Amendment."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER